



U.S. ENVIRONMENTAL PROTECTION AGENCY

Assistance Amendment

ASSISTANCE ID NO.

PRG	DOC ID	AMEND#
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C9 -	98959800	- 5
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TYPE OF ACTION

No Cost Amendment

PAYMENT METHOD:

Advance

DATE OF AWARD

OCT 21 2004

MAILING DATE

OCT 21 2004

ACH#

RECIPIENT TYPE:

Indian Tribe

RECIPIENT:

Washoe Tribe of NV & CA
919 Highway 395 South
Gardnerville, NV 89410
EIN: 88-0120754

Send Payment Request to:

Grants Management Office, PMD-7

PAYEE:

Washoe Tribe of NV & CA
919 Highway 395 South
Gardnerville, NV 89410

PROJECT MANAGER

A. Brian Wallace
919 Highway 395 South
Gardnerville, NV 89410
E-Mail:
Phone: 775-265-4191

EPA PROJECT OFFICER

Tiffany Eastman
75 Hawthorne Street, WTR-10
San Francisco, CA 94105
E-Mail: Eastman.Tiffany@epa.gov
Phone: 415-972-3404

EPA GRANT SPECIALIST

GwenL Brown
Grants Management Office, PMD-7
E-Mail: Brown.GwenL@epa.gov
Phone: 415-972-3661

PROJECT TITLE AND EXPLANATION OF CHANGES

Nonpoint Source Management Program

This amendment hereby extends the budget and project ending dates from Oct. 31, 2004 to Oct. 31, 2005. There is no change in the total approved EPA assistance amount. All terms and conditions remain in full force and effect.

Time Extension (Amendment); Time Extension (Approval)

BUDGET PERIOD

07/21/2000 - 10/31/2005

PROJECT PERIOD

07/21/2000 - 10/31/2005

TOTAL BUDGET PERIOD COST

\$653,570.00

TOTAL PROJECT PERIOD COST

\$653,570.00

NOTE: The Agreement must be completed in duplicate and the Original returned to the appropriate Grants Management Office listed below, within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. Receipt of a written refusal or failure to return the properly executed document within the prescribed time, may result in the withdrawal of the offer by the Agency. Any change to the Agreement by the Recipient subsequent to the document being signed by the EPA Award Official, which the Award Official determines to materially alter the Agreement, shall void the Agreement.

OFFER AND ACCEPTANCE

The United States, acting by and through the U.S. Environmental Protection Agency (EPA), hereby offers Assistance/Amendment to the Washoe Tribe of NV & CA for 82.09 % of all approved costs incurred up to and not exceeding \$536,547 for the support of approved budget period effort described in application (including all application modifications) cited in the Project Title and Description above, signed 05/22/2003 included herein by reference.

ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)

ORGANIZATION / ADDRESS

U.S. EPA, Region 9
Grants Management Office, PMD-7
75 Hawthorne Street
San Francisco, CA 94105

AWARD APPROVAL OFFICE

ORGANIZATION / ADDRESS

U.S. EPA, Region 9
Grants Management Office, PMD-7
75 Hawthorne Street
San Francisco, CA 94105

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

SIGNATURE OF AWARD OFFICIAL

TYPED NAME AND TITLE

Melinda Taplin, Grants Management Officer

DATE

OCT 21 2004

This agreement is subject to applicable U.S. Environmental Protection Agency statutory provisions and assistance regulations. In accepting this award or amendment and any payments made pursuant thereto, (1) the undersigned represents that he is duly authorized to act on behalf of the recipient organization, and (2) the recipient agrees (a) that the award is subject to the applicable provisions of 40 CFR Chapter 1, Subchapter B and of the provisions of this agreement (and all attachments), and (b) that acceptance of any payments constitutes an agreement by the payee that the amounts, if any found by EPA to have been overpaid will be refunded or credited in full to EPA.

BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION

SIGNATURE

TYPED NAME AND TITLE

A. Brian Wallace, Chairman

DATE



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX

75 Hawthorne Street
San Francisco, CA 94105

OCT 21 2004

COPY

Certified Mail -Return Receipt

A. Brian Wallace
Chairman
Washoe Tribe of NV & CA
919 Highway 395 South
Gardnerville, NV 89410

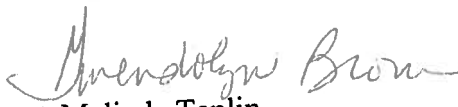
Re: Grant ID # C9-98959800-5
Nonpoint Source Management Program

Dear Mr. Wallace:

The United States Environmental Protection Agency (EPA) is pleased to offer an Amendment to the program described in the enclosed agreement. **If you wish to accept this offer, please sign and date both enclosed agreements and return one signed original to the Grants Management Office, PMD-7, within three weeks.** The agreement which is marked *Recipient's Copy* should be retained for your records.

Please read the enclosed Agreement and any conditions prior to your acceptance. If you or your staff have any questions of a programmatic nature, please contact your EPA Project Officer. Questions relating to administrative or fiscal matters should be directed to your EPA Grant Specialist.

Sincerely,


Melinda Taplin
Grants Management Officer

Enclosures

cc: Marie Barry, WT (w/attach)
Pauline Howe, WT (w/attach)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

SEP 15 2003

Certified Mail -Return Receipt

A. Brian Wallace, Chairman
Washoe Tribe of Nevada and California
919 Highway 395 South
Gardnerville, NV 89410

COPY

Re: Grant ID#: C9-98959800-4/C9-98959801-1
Project Title: Nonpoint Source Management Program

Dear Chairman Wallace:

The United States Environmental Protection Agency (EPA) is pleased to offer an Amendment to the program described in the enclosed agreement. **If you wish to accept this offer, please sign and date the enclosed agreement and return one signed original to the Grants Management Office, PMD-7, within three weeks. Please read the enclosed Agreement and any conditions prior to your acceptance.** The agreement which is marked *Recipient's Copy* should be retained for your records.

Accompanying this Amendment, is a Closeout Amendment which decreases the EPA assistance amount based on your final Financial Status Report. This amendment is for your files.

If you or your staff have any questions of a programmatic nature, please contact your EPA Project Officer. Questions relating to administrative or fiscal matters should be directed to your EPA Grant Specialist.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alexis Strauss".

Alexis Strauss
Director
Water Division

Enclosures

cc: Marie Barry, WT (w/attach)
Robert Porfiri, WT (w/attach)



U.S. ENVIRONMENTAL PROTECTION AGENCY

Cooperative Agreement

ASSISTANCE ID NO.

PRG	DOC ID	AMEND#
C9 -	98959800	- 4

DATE OF AWARD

SEP 08 2003

MAILING DATE

SEP 15 2003

ACH#

TYPE OF ACTION

Augmentation: Increase

PAYMENT METHOD:

Advance

Send Payment Request to:

Grants Management Office, PMD-7

PAYEE:

Washoe Tribe of NV & CA
919 Highway 395 South
Gardnerville, NV 89410

RECIPIENT TYPE:

Indian Tribe

RECIPIENT:

Washoe Tribe of NV & CA
919 Highway 395 South
Gardnerville, NV 89410
EIN: 88-0120754

PROJECT MANAGER

A. Brian Wallace
919 Highway 395 South
Gardnerville, NV 89410
E-Mail:
Phone: 775-265-4191

EPA PROJECT OFFICER

Tiffany Eastman
75 Hawthorne Street, WTR-10
San Francisco, CA 94105
E-Mail: Eastman.Tiffany@epa.gov
Phone: 415-972-3404

EPA GRANT SPECIALIST

GwenL. Brown
Grants Management Office, PMD-7
E-Mail: Brown.GwenL@epa.gov
Phone: 415-972-3661

PROJECT TITLE AND EXPLANATION OF CHANGES

Nonpoint Source Management Program

This amendment increases the total EPA amount by \$76,547 which includes \$30,000 of new funds and \$46,547 of prior year unexpended funds from assistance agreement C9-98959801-1. The revised total EPA amount is \$536,547. The purpose of this program is to provide assistance to the Washoe Tribe of NV and CA to implement "on-the-ground" projects to control nonpoint sources of water pollution. These funds will support the following workplan tasks: (1) administrative duties, (2) site monitoring, (3) Implement wellhead protection BMP, and (4) Implement ranching operations BMP. The specific details are in the approved workplan.

BUDGET PERIOD

07/21/2000 - 10/31/2004

PROJECT PERIOD

07/21/2000 - 10/31/2004

TOTAL BUDGET PERIOD COST

\$653,570.00

TOTAL PROJECT PERIOD COST

\$653,570.00

NOTE: The Agreement must be completed in duplicate and the Original returned to the appropriate Grants Management Office listed below, within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. Receipt of a written refusal or failure to return the properly executed document within the prescribed time, may result in the withdrawal of the offer by the Agency. Any change to the Agreement by the Recipient subsequent to the document being signed by the EPA Award Official, which the Award Official determines to materially alter the Agreement, shall void the Agreement.

OFFER AND ACCEPTANCE

The United States, acting by and through the U.S. Environmental Protection Agency (EPA), hereby offers Assistance/Amendment to the Washoe Tribe of NV & CA for 90.00 % of all approved costs incurred up to and not exceeding \$536,547 for the support of approved budget period effort described in application (including all application modifications) cited in the Project Title and Description above, signed 05/22/2003 included herein by reference.

ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)

ORGANIZATION / ADDRESS

U.S. EPA, Region 9
Grants Management Office, PMD-7
75 Hawthorne Street
San Francisco, CA 94105

AWARD APPROVAL OFFICE

ORGANIZATION / ADDRESS

U.S. EPA, Region 9
Water Division, WTR-1
75 Hawthorne Street
San Francisco, CA 94105

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

SIGNATURE OF AWARD OFFICIAL

TYPED NAME AND TITLE

Alexis Strauss, Director - Water Division

DATE

SEP 08 2003

This agreement is subject to applicable U.S. Environmental Protection Agency statutory provisions and assistance regulations. In accepting this award or amendment and any payments made pursuant thereto, (1) the undersigned represents that he is duly authorized to act on behalf of the recipient organization, and (2) the recipient agrees (a) that the award is subject to the applicable provisions of 40 CFR Chapter 1, Subchapter B and of the provisions of this agreement (and all attachments), and (b) that acceptance of any payments constitutes an agreement by the payee that the amounts, if any found by EPA to have been overpaid will be refunded or credited in full to EPA.

BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION

SIGNATURE

TYPED NAME AND TITLE

A. Brian Wallace, Chairman

DATE

C9 - 98959800 - 4 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 460,000	\$ 30,000	\$ 490,000
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$ 46,547	\$ 46,547
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 94,279	\$ 8,200	\$ 102,479
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 12,000	\$	\$ 12,000
Other Contribution	\$ 2,544	\$	\$ 2,544
Allowable Project Cost	\$ 568,823	\$ 84,747	\$ 653,570

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.460 - Nonpoint Source Implementation	Clean Water Act: Sec. 319(h)	40 CFR PTS 31 & 35 SUBPT B

Fiscal									
Site Name	DCN	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	W0E132	03	E1	09LA0D5	20302B01	41.83	-	-	30,000
									30,000

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$164,153
2. Fringe Benefits	\$41,530
3. Travel	\$7,593
4. Equipment	\$55,000
5. Supplies	\$11,144
6. Contractual	\$219,359
7. Construction	\$0
8. Other	\$115,777
9. Total Direct Charges	\$614,556
10. Indirect Costs: % Base <u>SEE TABLE B BELOW</u>	\$39,014
11. Total (Share: Recipient <u>10.00</u> % Federal <u>90.00</u> %.)	\$653,570
12. Total Approved Assistance Amount	\$536,547
13. Program Income	\$0

Detailed Table B Budget Page: 1

Table B - Program Element Classification (Non-construction)	Total Approved Allowable Budget Period Cost
1. TABLE A, LINE 10, INDIRECT COST RATE IS 9.7%.	\$
2. LAST APPROVED RATE COVERS JAN 1, 2002 TO DEC 31, 2002.	\$
3. 10% NON-FED MATCH OF TOTAL PROJECT COST WAS APPROVED BY EPA ON JUN 13, 2003.	\$
4.	\$
5. SEE AWARD CONDITION REGARDING INDIRECT COSTS.	\$
6.	\$
7.	\$
8.	\$
9.	\$
10.	\$
11. Total (Share: Recip <u>10.00</u> % Fed <u>90.00</u> %)	\$
12. Total Approved Assistance Amount	\$

Administrative Conditions

Administrative terms and conditions numbered 1 through 6 and 8 through 9 and 11 of assistance agreement awarded Sep 9, 2002, remain in full force and effect. Conditions 7 and 10 have been revised as follows:

7. Pursuant to EPA's annual Appropriations Act, the chief executive officer of this recipient agency shall require that no grant funds have been used to engage in lobbying of the Federal Government or in litigation against the United States unless authorized under existing law. As mandated by this Act, the recipient agrees to provide certification to the award official via EPA Form 5700-53, *Lobbying and Litigation Certificate*, or in a written statement. The Lobbying and Litigation certification and final Financial Status Report shall be submitted within 90 days after the end of project period.

Recipient shall abide by its respective OMB Circular (A-21, A-87, or A-122), which prohibits the use of federal grant funds for litigation against the United States. Any Part 30 recipient shall abide by its respective OMB Circular (A-21 or A-122), which prohibits the use of Federal grant funds to participate in various forms of lobbying or other political activities.

10. Payment to consultants. Per 40 CFR Part 31.36(j), EPA will limit its participation in the salary rate (excluding overhead) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors to the maximum daily rate for a GS-18, which is equivalent to level 4 of the Executive Schedule, to be adjusted annually. As of January 1, 2003 the daily salary rate is \$513.60. Subagreements with firms for services which are awarded using the procurement requirements in this part are not affected by this limitation.

Programmatic Conditions

1. This project grant includes the performance of environmental measurements. A Quality Assurance Project Plan (QAPjP) was approved by the Washoe Tribe of Nevada and California and EPA on 11/13/2000. However, there are measurement activities anticipated for FY-03/04 that are not currently covered by the existing QAPjP. Therefore, the QAPjP must be revised to include the additional activities which are not covered under the existing QAPjP. New measurement activities shall not be conducted until a revised QAPjP is approved by the EPA Project Manager, Region 9 Quality Assurance Manager, and the recipient's Quality Assurance Manager. Emergency measurements may be taken without a QAPjP being prepared if the activity is approved by the Region 9 Quality Assurance Manager.
2. This grant work program is subject to the statutory "satisfactory progress" provision prescribed in Section 319(h)(8) and the EPA policy on Performance Based Assistance (May 31, 1985).
3. Modifications to the approved workplan, including changes, additions, or deletions, shall be submitted in a timely manner to EPA for approval.
4. The recipient will submit to the EPA Project Officer quarterly progress reports due within 30 calendar days after the end of each Federal fiscal quarter (i.e., January 30, April 30, July 30, and October 30).

END OF DOCUMENT



U.S. ENVIRONMENTAL PROTECTION AGENCY

Assistance Amendment

ASSISTANCE ID NO.

PRG	DOC ID	AMEND#
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C9 -	98959801	- 1
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TYPE OF ACTION

Decrease

PAYMENT METHOD:

Advance

DATE OF AWARD

SEP 08 2003

MAILING DATE

SEP 15 2003

ACH#

RECIPIENT TYPE:

Indian Tribe

RECIPIENT:

Washoe Tribe of NV & CA
919 Highway 395 South
Gardnerville, NV 89410
EIN: 88-0120754

Send Payment Request to:
Grants Management Office, PMD-7

PAYEE:

Washoe Tribe of NV & CA
919 Highway 395 South
Gardnerville, NV 89410

PROJECT MANAGER

A. Brian Wallace
919 Highway 395 South
Gardnerville, NV 89410
E-Mail:
Phone: 775-265-4191

EPA PROJECT OFFICER

Kristin Gullatt
75 Hawthorne Street, WTR-10
San Francisco, CA 94105
E-Mail: Gullatt.Kristin@epa.gov
Phone: 415-972-3432

EPA GRANT SPECIALIST

GwenL Brown
Grants Management Office, PMD-7
E-Mail: Brown.GwenL@epa.gov
Phone: 415-972-3661

PROJECT TITLE AND EXPLANATION OF CHANGES

Nonpoint Source Management Program

This amendment decreases the total EPA amount by \$46,547 from \$130,000 to a revised total amount of \$83,453. It also reduces the non-fed amount by \$14,821 from \$41,175 to a revised total of \$26,354 per your Final Financial Status Report dated December 20,2002. The unobligated amount is being carried forward to assistance agreement C9-98959800-4.

BUDGET PERIOD

10/01/2001 - 10/31/2002

PROJECT PERIOD

10/01/2001 - 10/31/2002

TOTAL BUDGET PERIOD COST

\$109,807.00

TOTAL PROJECT PERIOD COST

\$109,807.00

NOTE: The Agreement must be completed in duplicate and the Original returned to the appropriate Grants Management Office listed below, within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. Receipt of a written refusal or failure to return the properly executed document within the prescribed time, may result in the withdrawal of the offer by the Agency. Any change to the Agreement by the Recipient subsequent to the document being signed by the EPA Award Official, which the Award Official determines to materially alter the Agreement, shall void the Agreement.

OFFER AND ACCEPTANCE

The United States, acting by and through the U.S. Environmental Protection Agency (EPA), hereby offers Assistance/Amendment to the Washoe Tribe of NV & CA for 76.00 % of all approved costs incurred up to and not exceeding \$83,453 for the support of approved budget period effort described in application (including all application modifications) cited in the Project Title and Description above, signed 04/24/2001 included herein by reference.

ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)

ORGANIZATION / ADDRESS

U.S. EPA, Region 9
Grants Management Office, PMD-7
75 Hawthorne Street
San Francisco, CA 94105

AWARD APPROVAL OFFICE

ORGANIZATION / ADDRESS

U.S. EPA, Region 9
Water Division, WTR-1
75 Hawthorne Street
San Francisco, CA 94105

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

SIGNATURE OF AWARD OFFICIAL

TYPED NAME AND TITLE

Alexis Strauss, Director - Water Division

DATE

SEP 08 2003

This agreement is subject to applicable U.S. Environmental Protection Agency statutory provisions and assistance regulations. In accepting this award or amendment and any payments made pursuant thereto, (1) the undersigned represents that he is duly authorized to act on behalf of the recipient organization, and (2) the recipient agrees (a) that the award is subject to the applicable provisions of 40 CFR Chapter 1, Subchapter B and of the provisions of this agreement (and all attachments), and (b) that acceptance of any payments constitutes an agreement by the payee that the amounts, if any found by EPA to have been overpaid will be refunded or credited in full to EPA.

BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION

SIGNATURE

TYPED NAME AND TITLE
NO SIGNATURE IS REQUIRED.

DATE

EPA Funding Information

C9 - 98959801 - 1 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 130,000	\$ -46,547	\$ 83,453
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 34,775	\$ -14,821	\$ 19,954
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 6,400	\$	\$ 6,400
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 171,175	\$ -61,368	\$ 109,807

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.460 - Nonpoint Source Implementation	Clean Water Act: Sec. 319(h)	40 CFR PTS 31 & 35 SUBPT B

Fiscal									
Site Name	DCN	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	W0E122	01	E1	09LA0D5	20302B01	4183	-	-	-46,547
									-46,547



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

SEP 16 2002

Certified Mail -Return Receipt

A. Brian Wallace, Chairman
Washoe Tribe of Nevada and California
919 Highway 395 South
Gardnerville, NV 89410

Re: Grant ID #: C9-98959800-3
Project Title: Nonpoint Source Management Program - Carson River Watershed Project

Dear Chairman Wallace:

The United States Environmental Protection Agency (EPA) is pleased to offer an Amendment to the program described in the enclosed agreement. **If you wish to accept this offer, please sign and date both enclosed agreements and return one signed original to the Grants Management Office, PMD-7, within three weeks.** The agreement which is marked *Recipient's Copy* should be retained for your records.

Please read the enclosed Agreement and any conditions prior to your acceptance. If you or your staff have any questions of a programmatic nature, please contact your EPA Project Officer. Questions relating to administrative or fiscal matters should be directed to your EPA Grant Specialist.

Sincerely,

A handwritten signature in dark ink, appearing to read "Alexis Strauss", is written over the typed name.

Alexis Strauss
Director
Water Division

Enclosures

cc: Marie Barry, WT(w/attach)
Keith Kircher, WT (w/attach)



U.S. ENVIRONMENTAL PROTECTION AGENCY

Cooperative Agreement

ASSISTANCE ID NO.

PRG	DOC ID	AMEND#
C9 -	98959800	- 3

DATE OF AWARD

SEP 09 2002

MAILING DATE

SEP 16 2002

TYPE OF ACTION

Augmentation: Increase

PAYMENT METHOD:

Advance

ACH#

RECIPIENT TYPE:

Indian Tribe

Send Payment Request to:
Grants Management Office, PMD-7

RECIPIENT:

Washoe Tribe of NV & CA
919 Highway 395 South
Gardnerville, NV 89410
EIN: 88-0120754

PAYEE:

Washoe Tribe of NV & CA
919 Highway 395 South
Gardnerville, NV 89410

PROJECT MANAGER

A. Brian Wallace
919 Highway 395 South
Gardnerville, NV 89410
E-Mail:
Phone: 775-265-4191

EPA PROJECT OFFICER

Tiffany Eastman
75 Hawthorne Street, WTR-10
San Francisco, CA 94105
E-Mail: Eastman.Tiffany@epa.gov
Phone: 415-972-3404

EPA GRANT SPECIALIST

GwenL Brown
Grants Management Office, PMD-7
E-Mail: Brown.GwenL@epa.gov
Phone: 415-972-3661

PROJECT TITLE AND DESCRIPTION

Nonpoint Source Management Program

This amendment increases the EPA Funding amount by \$180,000, from \$280,000 to \$460,000 and extends the budget and project period ending dates to 10/31/2004. The objective of this project is to provide assistance to Washoe Tribe of Nevada and California to implement "on-the-ground" projects to control nonpoint sources of water pollution. The specific details are contained in the approved workplan.

Also, please note that Assistance ID# C9-98959802-0, awarded on May 8, 2002, was changed to Assistance ID# C9-98959800-2. Due to this change, the following changes occurred: 1) budget and project period start dates were changed from 5/13/2002 to 7/21/2000; 2) total budget and total project period costs were changed from \$118,044 to \$341,637; and 3) total approved EPA funding amount was changed from \$100,000 to \$280,000.

BUDGET PERIOD
07/21/2000 - 10/31/2004

PROJECT PERIOD
07/21/2000 - 10/31/2004

TOTAL BUDGET PERIOD COST
\$568,823.00

TOTAL PROJECT PERIOD COST
\$568,823.00

NOTE: The Agreement must be completed in duplicate and the Original returned to the appropriate Grants Management Office listed below, within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. Receipt of a written refusal or failure to return the properly executed document within the prescribed time, may result in the withdrawal of the offer by the Agency. Any change to the Agreement by the Recipient subsequent to the document being signed by the EPA Award Official, which the Award Official determines to materially alter the Agreement, shall void the Agreement.

OFFER AND ACCEPTANCE

The United States, acting by and through the U.S. Environmental Protection Agency (EPA), hereby offers Assistance/Amendment to the Washoe Tribe of NV & CA for 90.00 % of all approved costs incurred up to and not exceeding \$460,000 for the support of approved budget period effort described in application (including all application modifications) cited in the Project Title and Description above, signed 04/24/2001 included herein by reference.

ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)

U.S. EPA, Region 9
Grants Management Office, PMD-7
75 Hawthorne Street
San Francisco, CA 94105

AWARD APPROVAL OFFICE

ORGANIZATION / ADDRESS

U.S. EPA, Region 9
Water Division
75 Hawthorne Street
San Francisco, CA 94105

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

SIGNATURE OF AWARD OFFICIAL

Alexis Strauss

TYPED NAME AND TITLE

Alexis Strauss, Director - Water Division

DATE

SEP 09 2002

This agreement is subject to applicable U.S. Environmental Protection Agency statutory provisions and assistance regulations. In accepting this award or amendment and any payments made pursuant thereto, (1) the undersigned represents that he is duly authorized to act on behalf of the recipient organization, and (2) the recipient agrees (a) that the award is subject to the applicable provisions of 40 CFR Chapter 1, Subchapter B and of the provisions of this agreement (and all attachments), and (b) that acceptance of any payments constitutes an agreement by the payee that the amounts, if any found by EPA to have been overpaid will be refunded or credited in full to EPA.

BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION

SIGNATURE

TYPED NAME AND TITLE

A. Brian Wallace, Chairman

DATE

EPA Funding Information

C9 - 98959800 - 3 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 280,000	\$ 180,000	\$ 460,000
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 52,693	\$ 41,586	\$ 94,279
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 6,400	\$ 5,600	\$ 12,000
Other Contribution	\$ 2,544	\$	\$ 2,544
Allowable Project Cost	\$ 341,637	\$ 227,186	\$ 568,823

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.460 - Nonpoint Source Implementation	Clean Water Act: Sec. 319(h)	40 CFR PTS 31 & 35 SUBPT B

Fiscal									
Site Name	DCN	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	W0E143	02	E1	09LA0D5	20302B01	4183	-	-	180,000
									180,000

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$134,929
2. Fringe Benefits	\$31,247
3. Travel	\$6,863
4. Equipment	\$55,000
5. Supplies	\$10,345
6. Contractual	\$209,459
7. Construction	\$0
8. Other	\$88,275
9. Total Direct Charges	\$536,118
10. Indirect Costs: % Base <u>see below</u>	\$32,705
11. Total (Share: Recipient <u>10.00</u> % Federal <u>90.00</u> %.)	\$568,823
12. Total Approved Assistance Amount	\$460,000
13. Program Income	\$0

Detailed Table B Budget Page: 1

Table B - Program Element Classification (Non-construction)	Total Approved Allowable Budget Period Cost
1. TABLE A, LINE 10, INDIRECT COSTS, IS	\$
2. BASED ON TOTAL DIRECT COSTS LESS	\$
3. EQUIPMENT AND CONTRACTUAL COSTS	\$
4. OF LAST APPROVED RATE (SEE ADMIN	\$
5. CONDITION NUMBER 6).	\$
6. NON-FED MATCH WAS APPROVED FOR	\$
7. 10% OF THE TOTAL PROJECT COSTS	\$
8. BY EPA ON JULY 16, 2002.	\$
9.	\$
10.	\$
11. Total (Share: Recip <u>10.00</u> % Fed <u>90.00</u> %)	\$
12. Total Approved Assistance Amount	\$

Administrative Conditions

1. An interim Financial Status Report (FSR), Standard Form 269A (Rev. 7/97), covering the period from "project/budget period start date" to June 30 of each calendar year shall be submitted to the Grants Management Office, PMD-7, no later than September 30 of the same calendar year. The FSR covering the entire project period shall be submitted within 90 days after the end of the project period (40 CFR Part 31.23(b)).
2. The recipient shall comply with the Single Audit Act and the reporting requirements set forth in OMB Circular A-133.
3. The recipient agrees to complete and submit to the Grants Management Office, PMD-7, a MBE/WBE Utilization Report (EPA Form 5700-52A), within 30 days after the end of the Federal fiscal year, i.e., by October 30 of each calendar year. Negative reports are required.
4. The recipient must ensure to the fullest extent possible that at least 8% (6%=MBE/2%=WBE) of Federal funds for prime contracts or subcontracts for supplies, construction, equipment or services are made available to organizations owned or controlled by socially and economically disadvantaged individuals, women, and historically black colleges and universities.

The recipient agrees to include in its bid documents an 8% (6%=MBE/2%=WBE) "Fair Share" percentage and require all of its prime contractors to include in their bid documents for subcontracts an 8% (6%=MBE/2%=WBE) "Fair Share" percentage.

To evaluate compliance with the "Fair Share" policy, the recipient also agrees to comply with the six affirmative steps stated in 40 CFR Section 30.44(b), Section 31.36(e), or Section 35.6580(a), as appropriate.

5. If a recipient procures equipment, services, supplies, or contracts under an assistance agreement, the recipient agrees and is required to utilize the following six affirmative steps:
 - a. Include qualified Small Business Enterprises (SBEs), Minority Business Enterprises (MBEs), and Women Business Enterprises (WBEs) on solicitation lists;
 - b. Assure that SBEs, MBEs, and WBEs are solicited whenever they are potential sources;
 - c. Divide total requirements, when economically feasible, into small tasks or quantities to permit maximum participation of SBEs, MBEs, and WBEs;
 - d. Establish delivery schedules, where the requirements of the work permit, which will encourage participation by SBEs, MBEs, and WBEs;
 - e. Use the services and assistance of the Small Business Administration and the Minority Business Development Agency, U.S. Department of Commerce, as appropriate; and

- f. If the prime contractor awards contracts/procurements, require the contractor to take the affirmative steps in subparagraphs a. through e. of this condition.
6. The recipient will not charge or claim for reimbursement any indirect costs unless a current indirect cost proposal is submitted and received by the Department of Interior (DOI) within six months after the close of the recipient's fiscal year. After DOI has received the indirect cost proposal, indirect costs authorized in this award may be reimbursed in accordance with the lower of either the last approved Negotiated Indirect Cost Rate Agreement (ICA) or the proposed rate until DOI approves the new indirect cost rate.
7. In accordance with OMB Circular A-87, the recipient agrees that it will not use project funds, including the Federal and non-Federal share, to engage in lobbying the Federal Government or in litigation against the United States. The recipient's Chief Executive Officer agrees to provide either EPA Form 5700-53, Lobbying and Litigation Certificate, or a written statement certifying that none of the funds have been used to engage in the lobbying of the Federal Government or in litigation against the United States. The certification is due 90 days after the end of the project period and shall be submitted with the final Financial Status Report.
8. Pursuant to EPA Order 1000.25, dated January 24, 1990, the recipient agrees to use recycled paper for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to Standard Forms. These forms are printed on recycled paper as available through the General Services Administration.
9. Effective October 1, 1994, the recipient agrees to ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the Hotel and Motel Fire Safety Act of 1990.
10. Payment to consultants. Per 40 CFR Part 31.36(j), EPA will limit its participation in the salary rate (excluding overhead) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors to the maximum daily rate for a GS-18, which is equivalent to level 4 of the Executive Schedule, to be adjusted annually. As of January 1, 2002 the daily salary rate is \$498.32. Subagreements with firms for services which are awarded using the procurement requirements in this part are not affected by this limitation.
11. This award includes \$14,544 of non-federal third party contributions. Third party contributions counting towards satisfying a cost sharing or matching requirement must be verifiable from the records of grantees and subgrantees. As applicable, these records must reflect how the value is placed on third party contributions. The value of third party contributions must be applicable to the period to which the cost sharing or matching requirement apply (40 CFR Part 31.24).

Programmatic Conditions

1. This project grant includes the performance of environmental measurements. A Quality Assurance Project Plan (QAPjP) was approved by the Washoe Tribe of Nevada and California and EPA on 11/13/2000. However, there are measurement activities anticipated for FY-03 that are not currently covered by the existing QAPjP. Therefore, the QAPjP must be revised to include the additional activities which are not covered

under the existing QAPjP. New measurement activities shall not be conducted until a revised QAPjP is approved by the EPA Project Manager, Region 9 Quality Assurance Manager, and the recipient's Quality Assurance Manager. Emergency measurements may be taken without a QAPjP being prepared if the activity is approved by the Region 9 Quality Assurance Manager.

2. The recipient will submit a consolidated workplan for the NPS 319 project called "The Carson River Restoration Project" within thirty days of date of award to the EPA Project Officer.
3. This grant work program is subject to the statutory "satisfactory progress" provision prescribed in Section 319(h)(8) and the EPA policy on Performance Based Assistance (May 31, 1985).
4. Modifications to the approved workplan, including changes, additions, or deletions, shall be submitted in a timely manner to the EPA Project Officer for approval.
5. The grantee shall prepare and submit quarterly progress reports which document activities conducted for each task in the project workplan. The reports, at a minimum, shall include the current project schedule updated to reflect percent complete of each activity and a description of activities conducted during the reporting period. Each report is due on the 30th day of January, April, July, and October.
6. Within 30 days of end of project period, the grantee shall prepare and submit a final report describing the degree of project success, as set forth in the project workplan.

-- END OF DOCUMENT --



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX

75 Hawthorne Street
San Francisco, CA 94105

August 21, 2002

Keith Kircher, Finance Director
Washoe Tribe of Nevada and California
919 Highway 395 South
Gardnerville, NV 89410

Dear Mr. Kircher:

The purpose of this letter is to inform you that your assistance agreement number C9-98959802-0 has been changed to C9-98959800-2, at the request of the Tribe.

This change will be reflected on the next assistance agreement, C9-98959800-3.

Again, thanks so much for bringing this matter to my attention. If you need to contact me, please call (415) 972-3661.

Sincerely,

A handwritten signature in cursive script that reads "Gwendolyn L. Brown".

Gwendolyn L. Brown
Grants Management Specialist

cc: Marie Barry, WT
Tiffany Eastman, EPA, WTR-10
Marie Ortesi, EPA, PMD-6



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

MAY 15 2002

Certified Mail -Return Receipt

A. Brian Wallace, Chairman
Washoe Tribe of NV & CA
919 Highway 395 South
Gardnerville, NV 89410

COPY

Re: Grant ID # C9-98959802-0
Nonpoint Source Management Program - Carson River Watershed Project

Dear Chairman Wallace:

The United States Environmental Protection Agency (EPA) is pleased to approve the program described in the enclosed agreement. **If you wish to accept this offer, please sign and date both enclosed agreements and return one signed original to the Grants Management Office, PMD-7, within three weeks.** The agreement which is marked *Recipient's Copy* should be retained for your records.

Please read the enclosed Agreement and the conditions prior to your acceptance. If you or your staff have any questions of a programmatic nature, please contact your EPA Project Officer. Questions relating to administrative or fiscal matters should be directed to your EPA Grant Specialist.

Sincerely,

Alexis Strauss
Director
Water Division

Enclosures

cc: Tim Seward, WT (w/attach)
Ken Keddington, WT (w/attach)



U.S. ENVIRONMENTAL PROTECTION AGENCY

Cooperative Agreement

ASSISTANCE ID NO.

PRG	DOC ID	AMEND#
C9 -	98959802	- 0

DATE OF AWARD

MAY 08 2002

TYPE OF ACTION

New

PAYMENT METHOD:

Advance

MAILING DATE

MAY 15 2002

ACH#

RECIPIENT TYPE:

Indian Tribe

RECIPIENT:

Washoe Tribe of NV & CA
919 Highway 395 South
Gardnerville, NV 89410
EIN: 88-0120754

Send Payment Request to:
Grants Management Office, PMD-7

PAYEE:

Washoe Tribe of NV & CA
919 Highway 395 South
Gardnerville, NV 89410

PROJECT MANAGER

Tim Seward
919 Highway 395 South
Gardnerville, NV 89410
E-Mail:
Phone: 775-265-4191, Ext 114

EPA PROJECT OFFICER

Kristin Gullatt
75 Hawthorne Street, WTR-10
San Francisco, CA 94105
E-Mail: Gullatt.Kristin@epa.gov
Phone: 415-972-3432

EPA GRANT SPECIALIST

GwenL Brown
Grants Management Office, PMD-7
E-Mail: Brown.GwenL@epa.gov
Phone: 415-972-3661

PROJECT TITLE AND DESCRIPTION

Nonpoint Source (NPS) Management Program - Carson City Watershed Project

This award provides full EPA funding in the amount of \$100,000. The objective of this program is to assist the tribe with its Nonpoint Source Watershed Project. This award will support tasks 1-7 of the workplan.

BUDGET PERIOD

05/13/2002 - 10/31/2003

PROJECT PERIOD

05/13/2002 - 10/31/2003

TOTAL BUDGET PERIOD COST

\$118,044.00

TOTAL PROJECT PERIOD COST

\$118,044.00

NOTE: The Agreement must be completed in duplicate and the Original returned to the appropriate Grants Management Office listed below, within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. Receipt of a written refusal or failure to return the properly executed document within the prescribed time, may result in the withdrawal of the offer by the Agency. Any change to the Agreement by the Recipient subsequent to the document being signed by the EPA Award Official, which the Award Official determines to materially alter the Agreement, shall void the Agreement.

OFFER AND ACCEPTANCE

The United States, acting by and through the U.S. Environmental Protection Agency (EPA), hereby offers Assistance/Amendment to the Washoe Tribe of NV & CA for 84.70 % of all approved costs Incurred up to and not exceeding \$100,000 for the support of approved budget period effort described in application (including all application modifications) cited in the Project Title and Description above, signed 11/14/2001 included herein by reference.

ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)

ORGANIZATION / ADDRESS

U.S. EPA, Region 9
Grants Management Office, PMD-7
75 Hawthorne Street
San Francisco, CA 94105

AWARD APPROVAL OFFICE

ORGANIZATION / ADDRESS

U.S. EPA, Region 9
Water Division
75 Hawthorne Street
San Francisco, CA 94105

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

SIGNATURE OF AWARD OFFICIAL

Alexis Strauss

TYPED NAME AND TITLE

Alexis Strauss, Director - Water Division

DATE

MAY 08 2002

This agreement is subject to applicable U.S. Environmental Protection Agency statutory provisions and assistance regulations. In accepting this award or amendment and any payments made pursuant thereto, (1) the undersigned represents that he is duly authorized to act on behalf of the recipient organization, and (2) the recipient agrees (a) that the award is subject to the applicable provisions of 40 CFR Chapter 1, Subchapter B and of the provisions of this agreement (and all attachments), and (b) that acceptance of any payments constitutes an agreement by the payee that the amounts, if any found by EPA to have been overpaid will be refunded or credited in full to EPA.

BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION

SIGNATURE

TYPED NAME AND TITLE

A. Brian Wallace, Chairman

DATE

New number CA-989598-00-2

EPA Funding Information

C9 - 98959802 - 0 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 100,000	\$ 100,000
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$	\$ 0
State Contribution	\$	\$ 15,500	\$ 15,500
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 2,544	\$ 2,544
		\$ 118,044	\$ 118,044

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.460 - Nonpoint Source Implementation	Clean Water Act: Sec. 319(h)	40 CFR PTS 31 & 35 SUBPT B

Fiscal									
Site Name	DCN	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	W0E014	02	E1C	09LA0D5	20302B01	4183	-	-	100,000
									100,000

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$7,970
2. Fringe Benefits	\$4,307
3. Travel	\$345
4. Equipment	\$0
5. Supplies	\$1,500
6. Contractual	\$85,736
7. Construction	\$0
8. Other	\$16,000
9. Total Direct Charges	\$115,858
10. Indirect Costs: % Base <u>see below</u>	\$2,186
11. Total (Share: Recipient <u>15.30</u> % Federal <u>84.70</u> %.)	\$118,044
12. Total Approved Assistance Amount	\$100,000
13. Program Income	\$0

Detailed Table B Budget Page: 1

Table B - Program Element Classification (Non-construction)	Total Approved Allowable Budget Period Cost
1. Table A, Line 10, Indirect is based on	\$
2. Total Direct less equipment and	\$
3. contractual at the last-approved rate	\$
4. of 15.5% (see condition #5).	\$
5. CY-01 ICR Proposal w/USDOl.	\$
6.	\$
7. Match requirement has been reduced	\$
8. to 15.3%.	\$
9.	\$
10.	\$
11. Total (Share: Recip <u>15.30</u> % Fed <u>84.70</u> %)	\$
12. Total Approved Assistance Amount	\$

Administrative Conditions

1. The final Financial Status Report (FSR), Standard Form 269A (Rev. 7/97), for this award shall be submitted to the Grants Management Office, PMD-7, within 90 days after the end of the budget period (40 CFR Part 31.23(b))
2. The recipient shall comply with the Single Audit Act and the reporting requirements set forth in OMB Circular A-133.
3. The recipient must ensure to the fullest extent possible that at least 8% (6%=MBE/2%=WBE) of Federal funds for prime contracts or subcontracts for supplies, construction, equipment or services are made available to organizations owned or controlled by socially and economically disadvantaged individuals, women, and historically black colleges and universities.

The recipient agrees to include in its bid documents an 8% (6%=MBE/2%=WBE) "Fair Share" percentage and require all of its prime contractors to include in their bid documents for subcontracts an 8% (6%=MBE/2%=WBE) "Fair Share" percentage.

To evaluate compliance with the "Fair Share" policy, the recipient also agrees to comply with the six affirmative steps stated in 40 CFR Section 30.44(b), Section 31.36(e), or Section 35.6580(a), as appropriate.

4. If a recipient procures equipment, services, supplies, or contracts under an assistance agreement, the recipient agrees and is required to utilize the following six affirmative steps:
 - a. Include qualified Small Business Enterprises (SBEs), Minority Business Enterprises (MBEs), and Women Business Enterprises (WBEs) on solicitation lists;
 - b. Assure that SBEs, MBEs, and WBEs are solicited whenever they are potential sources;
 - c. Divide total requirements, when economically feasible, into small tasks or quantities to permit maximum participation of SBEs, MBEs, and WBEs;
 - d. Establish delivery schedules, where the requirements of the work permit, which will encourage participation by SBEs, MBEs, and WBEs;
 - e. Use the services and assistance of the Small Business Administration and the Minority Business Development Agency, U.S. Department of Commerce, as appropriate; and
 - f. If the prime contractor awards contracts/procurements, require the contractor to take the affirmative steps in subparagraphs a. through e. of this condition.
5. The recipient will not charge or claim for reimbursement any indirect costs unless a current indirect cost proposal is submitted and received by the Department of Interior (DOI) within six months after the close of the recipient's fiscal year. After DOI has received the indirect cost proposal, indirect costs authorized in this award may be

reimbursed in accordance with the lower of either the last approved Negotiated Indirect Cost Rate Agreement (ICA) or the proposed rate until DOI approves the new indirect cost rate.

6. "In accordance with OMB Circular A-21, A-87, or A-122, as appropriate, the recipient agrees that it will not use project funds, including the Federal and non-Federal share, to engage in lobbying the Federal Government or in litigation against the United States. The recipient also agrees to provide the information mandated by EPA's annual appropriations acts for fiscal year 2000, 2001 and fiscal year 2002 (PL 106-74, §426, PL 106-377, §424 and PL 107-73, §424 respectively) which require as follows: 'A chief executive officer of any entity receiving funds under this Act shall certify that none of these funds have been used to engage in the lobbying of the Federal Government or in litigation against the United States unless authorized under existing law.' The recipient may satisfy this certification requirement in any reasonable manner. The certification must be submitted to EPA after all grant funds have been expended."

7. Pursuant to EPA Order 1000.25, dated January 24, 1990, the recipient agrees to use recycled paper for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to Standard Forms. These forms are printed on recycled paper as available through the General Services Administration.

8. Effective October 1, 1994, the recipient agrees to ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the Hotel and Motel Fire Safety Act of 1990.

9. Payment to consultants. Per 40 CFR Part 31.36(j), EPA will limit its participation in the salary rate (excluding overhead) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors to the maximum daily rate for a GS-18, which is equivalent to level 4 of the Executive Schedule, to be adjusted annually. As of January 1, 2002 the daily salary rate is \$498.32. Subagreements with firms for services which are awarded using the procurement requirements in this part are not affected by this limitation.

-- END OF DOCUMENT --



U.S. ENVIRONMENTAL PROTECTION AGENCY

Assistance Amendment

ASSISTANCE ID NO.

PRG	DOC ID	AMEND#
C9 -	98959800	- 1

DATE OF AWARD
OCT 19 2001

TYPE OF ACTION
No Cost Amendment

MAILING DATE
OCT 23 2001

PAYMENT METHOD:
Advance

ACH#

Send Payment Request to:
Grants Management Office, PMD-7

PAYEE:

Washoe Tribe of NV & CA
919 Highway 395 South
Gardnerville, NV 89410

RECIPIENT TYPE:
Indian Tribe

RECIPIENT:

Washoe Tribe of NV & CA
919 Highway 395 South
Gardnerville, NV 89410
EIN: 88-0120754

PROJECT MANAGER

Brian Wallace
919 Highway 395 South
Gardnerville, NV 89410
E-Mail:
Phone: 775-265-4191

EPA PROJECT OFFICER

Kristin Gullatt
75 Hawthorne Street, WTR-10
San Francisco, CA 94105
E-Mail: gullatt.kristin@epa.gov
Phone: 415-744-1937

EPA GRANT SPECIALIST

GwenL Brown
Grants Management Office, PMD-7
E-Mail: brown.gwenl@epa.gov
Phone: 415-744-1697

PROJECT TITLE AND DESCRIPTION

Non-Point Source Management Program

This amendment hereby extends the budget and project period ending dates from October 31, 2001 to October 31, 2002. There is no change to the total EPA assistance amount of \$180,000.

BUDGET PERIOD

07/21/2000 - 10/31/2002

PROJECT PERIOD

07/21/2000 - 10/31/2002

TOTAL BUDGET PERIOD COST

\$223,593.00

TOTAL PROJECT PERIOD COST

\$223,593.00

NOTE: The Agreement must be completed in duplicate and the Original returned to the appropriate Grants Management Office listed below, within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. Receipt of a written refusal or failure to return the properly executed document within the prescribed time, may result in the withdrawal of the offer by the Agency. Any change to the Agreement by the Recipient subsequent to the document being signed by the EPA Award Official, which the Award Official determines to materially alter the Agreement, shall void the Agreement.

OFFER AND ACCEPTANCE

The United States, acting by and through the U.S. Environmental Protection Agency (EPA), hereby offers Assistance/Amendment to the Washoe Tribe of NV & CA for 81.00 % of all approved costs incurred up to and not exceeding \$180,000 for the support of approved budget period effort described in application (including all application modifications) cited in the Project Title and Description above, signed 10/15/2001 included herein by reference.

ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)

ORGANIZATION / ADDRESS

U.S. EPA, Region 9
Grants Management Office, PMD-7
75 Hawthorne Street
San Francisco, CA 94105

AWARD APPROVAL OFFICE

ORGANIZATION / ADDRESS

U.S. EPA, Region 9
Water Division, WTR-1
75 Hawthorne Street
San Francisco, CA 94105

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

SIGNATURE OF AWARD OFFICIAL

TYPED NAME AND TITLE

Melinda Taplin, Grants Management Officer

DATE

OCT 19 2001

This agreement is subject to applicable U.S. Environmental Protection Agency statutory provisions and assistance regulations. In accepting this award or amendment and any payments made pursuant thereto, (1) the undersigned represents that he is duly authorized to act on behalf of the recipient organization, and (2) the recipient agrees (a) that the award is subject to the applicable provisions of 40 CFR Chapter 1, Subchapter B and of the provisions of this agreement (and all attachments), and (b) that acceptance of any payments constitutes an agreement by the payee that the amounts, if any found by EPA to have been overpaid will be refunded or credited in full to EPA.

BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION

SIGNATURE

TYPED NAME AND TITLE

A. Brian Wallace, Chairman

DATE



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX

75 Hawthorne Street
San Francisco, CA 94105

OCT 23 2001

A. Brian Wallace, Chairman
Washoe Tribe of NV & CA
919 Highway 395 South
Gardnerville, NV 89410

COPY

Re: C9-98959800-1
Nonpoint Source Management Program

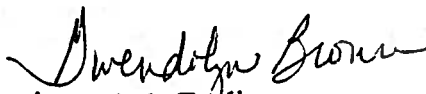
Dear Chairman Wallace:

The United States Environmental Protection Agency (EPA) is pleased to offer an Amendment for the program described on the enclosed agreement. Please review the conditions of the initial agreement as well as any new conditions which may have been added with this Amendment.

It is important to note that this Amendment is subject to the same Federal Regulations which have previously been furnished to you. **If you wish to accept this offer, please sign and date both originals of the enclosed Amendment and return one original to the Grants Management Office, PMD-7, within three weeks of receipt.** A copy of this Amendment is being forwarded to your staff as noted below.

The Amendment identifies the EPA Project Officer and EPA Grant Specialist who will be working with you and your staff. If you or your staff have any questions of a programmatic nature, please contact your EPA Project Officer. Questions relating to administrative or fiscal matters should be directed to your EPA Grants Specialist.

Sincerely,


Melinda Taplin
Grants Management Officer

Enclosures

cc: Tim Seward, WT (w/attach)
Keith Kircher, WT (w/attach)

Administrative Conditions

All terms and conditions from initial assistance agreement remain in full force and effect. In addition, condition number 15 has been added as follows:

15. As of May 15, 2001, the following new term & condition is applicable to all assistance agreements:

"In accordance with OMB Circular A-21, A-87, or A-122, as appropriate, the recipient agrees that it will not use project funds, including the Federal and non-Federal share, to engage in lobbying the Federal Government or in litigation against the United States. The recipient also agrees to provide the information mandated by EPA's annual appropriations acts for fiscal year 2000 and fiscal year 2001 (PL 106-74, §426 and PL 106-377, §424 respectively) which require as follows: 'A chief executive officer of any entity receiving funds under this Act shall certify that none of these funds have been used to engage in the lobbying of the Federal Government or in litigation against the United States unless authorized under existing law.' The recipient may satisfy this certification requirement in any reasonable manner. The certification must be submitted to EPA after all grant funds have been expended".

End of document

Washoe Tribe of Nevada and California

October 5, 2001

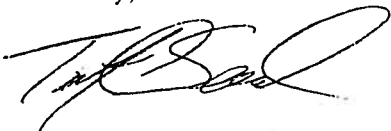
Kristin Gullatt
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA

Dear Kristin,

The Washoe Environmental Protection Department requests a no cost expansion on our FY00 EPA Non Point Source (319h) Grant for a period of 12 months. The expansion on this grant is needed due to the complication of obtaining the approval of the permits for streambank restoration on the Carson River. The permits are expected to be approved within the next two months and restoration activities will start soon there after.

Thank you for your assistance and we look forward to a successful partnership with EPA on this project.

Sincerely,

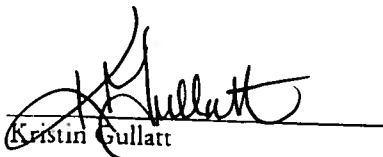


Tim Seward
Environmental Director
Washoe Tribe of Nevada and California
cc: Gwendolyn Brown
Grants
Finance
File/NPS FY00

*Please extend grant
to 10/31/2002;
K. Gullatt 10/10/01*

Exp. 10/31/2001


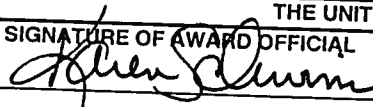
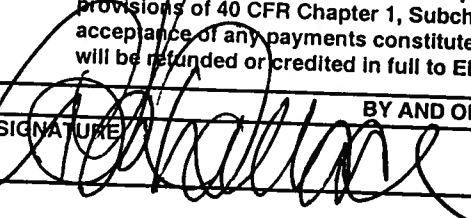
Concur:


Kristin Gullatt

Date: 10/10/01

RETURN TO EPA, PMD-7

C9 - 98959800 - 0 Page 1

	U.S. ENVIRONMENTAL PROTECTION AGENCY Cooperative Agreement		ASSISTANCE ID NO.		DATE OF AWARD JUL 20 2000		
			PRG C9 -	DOC ID 98959800		AMEND# - 0	
			TYPE OF ACTION New			MAILING DATE JUL 27 2000	
			PAYMENT METHOD: Advance			ACH#	
RECIPIENT TYPE: Indian Tribe			Send Payment Request to: Grants Management Office, PMD-7				
RECIPIENT: Washoe Tribe of NV & CA 919 Highway 395 South Gardnerville, NV 89410 EIN: 88-0120754			PAYEE: Washoe Tribe of NV & CA 919 Highway 395 South Gardnerville, NV 89410				
PROJECT MANAGER Brian Wallace 919 Highway 395 South Gardnerville, NV 89410 E-Mail: Phone: 775-265-4191		EPA PROJECT OFFICER Kristin Gullatt 75 Hawthorne Street, WTR-10 San Francisco, CA 94105 E-Mail: gullatt.kristin@epa.gov Phone: 415-744-1937		EPA GRANT SPECIALIST Renee Chan Grants Management Office, PMD-7 E-Mail: chan.renee@epa.gov Phone: 415-744-1707			
PROJECT TITLE AND DESCRIPTION Non-Point Source Management Program This assistance agreement provides full EPA funding in the amount of \$180,000.							
BUDGET PERIOD 07/21/2000 - 10/31/2001		PROJECT PERIOD 07/21/2000 - 10/31/2001		TOTAL BUDGET PERIOD COST \$223,593.00			
				TOTAL PROJECT PERIOD COST \$223,593.00			
<p>NOTE: The Agreement must be completed in duplicate and the Original returned to the appropriate Grants Management Office listed below, within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. Receipt of a written refusal or failure to return the properly executed document within the prescribed time, may result in the withdrawal of the offer by the Agency. Any change to the Agreement by the Recipient subsequent to the document being signed by the EPA Award Official, which the Award Official determines to materially alter the Agreement, shall void the Agreement.</p>							
OFFER AND ACCEPTANCE							
<p>The United States, acting by and through the U.S. Environmental Protection Agency (EPA), hereby offers Assistance/Amendment to the <u>Washoe Tribe of NV & CA</u> for <u>\$1.00</u> % of all approved costs incurred up to and not exceeding <u>\$180,000</u> for the support of approved budget period effort described in application (including all application modifications) cited in the Project Title and Description above, signed <u>04/28/2000</u> included herein by reference.</p>							
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE				
ORGANIZATION / ADDRESS U.S. EPA, Region 9 Grants Management Office, PMD-7 75 Hawthorne Street San Francisco, CA 94105			ORGANIZATION / ADDRESS U.S. EPA, Region 9 Water Division, WTR-1 75 Hawthorne Street San Francisco, CA 94105				
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY							
SIGNATURE OF AWARD OFFICIAL 		TYPED NAME AND TITLE Alexis Strauss, Director		DATE JUL 20 2000			
<p>This agreement is subject to applicable U.S. Environmental Protection Agency statutory provisions and assistance regulations. In accepting this award or amendment and any payments made pursuant thereto, (1) the undersigned represents that he is duly authorized to act on behalf of the recipient organization, and (2) the recipient agrees (a) that the award is subject to the applicable provisions of 40 CFR Chapter 1, Subchapter B and of the provisions of this agreement (and all attachments), and (b) that acceptance of any payments constitutes an agreement by the payee that the amounts, if any found by EPA to have been overpaid will be refunded or credited in full to EPA.</p>							
BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION							
SIGNATURE 		TYPED NAME AND TITLE A. Brian Wallace, Chairman		DATE 8-11-00			

cc: 8/18/00



RECEIVED
AUG 17 2000
GMO, PMD-7

EPA Funding Information

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 180,000	\$ 180,000
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$ 37,193	\$ 37,193
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$ 6,400	\$ 6,400
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 223,593	\$ 223,593

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.460 - Nonpoint Source Implementation	Clean Water Act: Sec. 319(H)	40 CFR PTS 31 & 35 SUBPT A

Fiscal									
Site Name	DCN	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	W0E044	00	E1	09LA005	20302B01	41.83	-	-	180,000
									180,000

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$56,802
2. Fringe Benefits	\$13,184
3. Travel	\$2,530
4. Equipment	\$50,000
5. Supplies	\$3,845
6. Contractual	\$39,744
7. Construction	\$0
8. Other	\$39,525
9. Total Direct Charges	\$205,630
10. Indirect Costs: % Base <u>See Below</u>	\$17,963
11. Total (Share: Recipient <u>19.00</u> % Federal <u>81.00</u> %.)	\$223,593
12. Total Approved Assistance Amount	\$180,000
13. Program Income	\$0

Table B - Program Element Classification (Non-construction)	Total Approved Allowable Budget Period Cost
1. Table A, line 10, Indirect is based on	\$
2. Total Direct less equipment and	\$
3. contractual at the last-approved rate	\$
4. of 15.5% (see condition #5).	\$
5. CY-98 ICR proposal w/ USDOL.	\$
6. CY-99 ICR proposal will be prepared	\$
7. when 99 audit completed.	\$
8.	\$
9. Match: *10% of the Total Project Costs.	\$
10. *waiver of match to 10% approved 7/10/00	\$
11. Total (Share: Recip % Fed %)	\$
12. Total Approved Assistance Amount	\$



Administrative Conditions

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1. An interim Financial Status Report (FSR), Standard Form 269A (Rev. 7/97), covering the period from "project/budget period start date" to September 30 of each calendar year shall be submitted to the Grants Management Office, PMD-7, no later than December 31 of the same calendar year. **The initial FSR is due December 31, 2001.** The FSR covering the entire project period shall be submitted within 90 days after the end of the project period (40 CFR Part 31.23(b)).

2. The recipient shall comply with the Single Audit Act and the reporting requirements set forth in OMB Circular A-133.

3. The recipient must ensure to the fullest extent possible that at least 8% (6%=MBE/2%=WBE) of Federal funds for prime contracts or subcontracts for supplies, construction, equipment or services are made available to organizations owned or controlled by socially and economically disadvantaged individuals, women, and historically black colleges and universities.

The recipient agrees to include in its bid documents an 8% (6%=MBE/2%=WBE) "Fair Share" percentage and require all of its prime contractors to include in their bid documents for subcontracts an 8% (6%=MBE/2%=WBE) "Fair Share" percentage.

To evaluate compliance with the "Fair Share" policy, the recipient also agrees to comply with the six affirmative steps stated in 40 CFR Section 30.44(b), Section 31.36(e), or Section 35.6580(a), as appropriate.

4. If a recipient procures equipment, services, supplies, or contracts under an assistance agreement, the recipient agrees and is required to utilize the following six affirmative steps:

- a. Include qualified Small Business Enterprises (SBEs), Minority Business Enterprises (MBEs), and Women Business Enterprises (WBEs) on solicitation lists;
- b. Assure that SBEs, MBEs, and WBEs are solicited whenever they are potential sources;
- c. Divide total requirements, when economically feasible, into small tasks or quantities to permit maximum participation of SBEs, MBEs, and WBEs;
- d. Establish delivery schedules, where the requirements of the work permit, which will encourage participation by SBEs, MBEs, and WBEs;
- e. Use the services and assistance of the Small Business Administration and the Minority Business Development Agency, U.S. Department of Commerce, as appropriate; and
- f. If the prime contractor awards contracts/procurements, require the contractor to take the affirmative steps in subparagraphs a. through e. of this condition.

5. The recipient will not charge or claim for reimbursement any indirect costs unless a current indirect cost proposal is submitted and received by the Department of Interior (DOI) within six months after the close of the recipient's fiscal year. After DOI has received the indirect cost proposal, indirect costs authorized in this award may be reimbursed in accordance with the lower of either the last approved Negotiated Indirect Cost Rate Agreement (ICA) or the proposed rate until DOI approves the new indirect cost rate.
6. Pursuant to EPA Order 1000.25, dated January 24, 1990, the recipient agrees to use recycled paper for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to Standard Forms. These forms are printed on recycled paper as available through the General Services Administration.
7. Effective October 1, 1994, the recipient agrees to ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the Hotel and Motel Fire Safety Act of 1990.
8. Payment to consultants. Per 40 CFR **Part 31.36(j)**, EPA will limit its participation in the salary rate (excluding overhead) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors to the maximum daily rate for a GS-18, which is equivalent to level 4 of the Executive Schedule, to be adjusted annually. Subagreements with firms for services which are awarded using the procurement requirements in this part are not affected by this limitation.
9. This award includes **\$6,400**, of non-federal third party contributions. Third party contributions counting towards satisfying a cost sharing or matching requirement must be verifiable from the records of grantees and subgrantees. As applicable, these records must reflect how the value is placed on third party contributions. The value of third party contributions must be applicable to the period to which the cost sharing or matching requirement apply (**40 CFR Part 31.24**).
10. This grant work program is subject to the statutory "satisfactory progress" provision prescribed in Section 319(h)(8) and the EPA policy on Performance Based Assistance (May 31, 1985).
11. Modifications to the approved workplan, including changes, additions, or deletions, shall be submitted in a timely manner to EPA for approval.
12. The recipient agrees to provide specific information required by EPA to enable it to prepare the annual Report to Congress required by Section 319(h)(11) and Section 319(m) of the Clean Water Act. The reporting of this information should conform to specific guidance provided by EPA.
13. Ambient water quality data (tissue and sediment data included) must be entered into STORET.
14. This grant does not include the performance of environmental measurements. Therefore, neither a Quality Assurance Management Plan (QMP) nor a Quality Assurance Project Plan (QAPP) is required.



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**R9 ANNUAL BASELINE MONITORING CHECKLIST
FOR EPA GRANT PROJECT OFFICERS**

Recipient: WASHOE TRIBE OF NV & CA Date: 8-18-05
Grant #: 69-98959800 EPA Project Officer: T. EASTMAN

1) Are programmatic terms and conditions being met? Yes ☒ No ☒
If no, explain action being taken: QUARTERLY REPORTS SUBMITTED LATE -
WILL CONTINUE TO DO FOLLOW-UP W/ REMINDERS W/ GRANTEE.

2) Date of last contact with the grants specialist: 1.10.05

3) Date of last contact with the recipient: 8-18-05
This was via email, telephone, letter or in person (circle one).
Reminder, at a minimum, annual contact is required and must be documented in the program file.

4) Are all work plan requirements proceeding as planned? Yes ☒ No ☐
If no, explain action being taken: _____

5) Does the draw down of funds match the work plan progress? Yes ☒ No ☐
If no, explain: _____

Project Officer Comments/Follow-up: GRANT MUST EXPIRE 10-31-05. GRANT
ALREADY PAST 5 YEAR LIMIT.

J. Eastman
Project Officer Signature



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

JUL 01 2004

Marie Barry
Environmental Director
Washoe Tribe of Nevada and California
919 Highway 395 South
Gardnerville, NV 89410

Subject: Annual Programmatic Review Report for Clean Water Act §319(h) - Nonpoint
Source Pollution Control Program Grant [C9-98959800-4]

Dear Ms. Barry:

EPA has conducted a review of Washoe Tribe of Nevada and California's performance under the Clean Water Act §319(h) - Nonpoint Source Pollution Control Program Grant [C9-98959800-4] based on the quarterly and annual reports. The report containing EPA's findings including the successes and recommendations is enclosed for your review.

Per our conversation on April 29, 2004 regarding a possible extension to this grant, if Washoe Tribe determines that an extension is necessary for this grant, please submit an extension request along with a proposed revised workplan and budget breakdown to me no later than October 1, 2004.

Please contact me if you have any questions or comments regarding the attached report.

Sincerely,

Tiffany Eastman

Tiffany Eastman
Project Officer
Tribal Office, Water Division (WTR-10)

Enclosure - 1

cc: Gwen Brown, Grants Specialist, PMD-7, EPA

ANNUAL PROGRAMMATIC REVIEW REPORT

Grant ID: C9-98959800-4
Recipient: Washoe Tribe of Nevada and California

I. INTRODUCTION

A Clean Water Act (CWA) §319(h) – Nonpoint Source Pollution Control Program Grant was awarded to Washoe Tribe of Nevada and California in July 2000, amended in October 2001, May 2002, September 2002, and September 2003 in the amount of \$536,547 with a recipient match of \$117,023 for the project and budget period of 7/21/2000 to 10/31/2004.

Washoe Tribe of Nevada and California was committed to complete eight major tasks in its CWA §319(h) grant workplan:

1. Administrative Duties;
2. Streambank Stabilization Engineering;
3. Site Monitoring and Maintenance;
4. Implementation of Projects;
5. Implementation of Ranching Operation BMPs;
6. Final Reporting;
7. Development of Quality Assurance Program Plan (QAPP); and
8. Implementation of Wellhead Protection BMP.

II. CURRENT FINDINGS

1. The planned equipment purchases made as of the date of this report: livestock watering devices and installation materials (\$5,000) have been properly managed and accounted for. However, EPA is unable to determine if the planned equipment purchase of stone spur and riprap materials (\$50,000) has been made as yet (See Recommendation #2).
2. All tasks and deliverables are being completed in a timely manner and submitted to EPA with the exception of quarterly reports (See Recommendation #1).
3. EPA's financial database on July 1, 2004 showed an unobligated balance of Federal funds in the amount of \$192,314.67.
4. Most programmatic terms and conditions are being met. Regarding Programmatic Condition #1: As of May 2004, the revised QAPP was still in draft format and has not been submitted to EPA for review. Regarding Programmatic Condition #4: Some quarterly reports have been submitted several months late and future quarterly reports need to be submitted in a timely manner.
5. All programmatic statutory and regulatory requirements are being met.

III. SUCCESSES

During the first fifteen quarters of this grant (from start date of grant to April 30, 2004), the following activities were completed:

1. Administrative Duties:
 - a. Developed list of assigned personnel with responsibilities.
 - b. Established work and activities schedule for staff and hired field crew.
 - c. Developed and submitted quarterly and annual reports to EPA.
2. Streambank Stabilization Bioengineering:
 - a. Conducted training of tribal crews and volunteers for bioengineering projects.
 - b. Identified and collected plant stock for revegetation projects.

3. Site Monitoring and Maintenance:
 - a. Conducted water quality testing according to the EPA approved QAPP (11/13/2000).
 - b. Irrigated the sites due to lack of precipitation due to drought.
4. Implementation of Projects:
 - a. Structure #1 has been monitored, re-graded, revegetated, and irrigated on a continuous basis due to drought and high-flow events.
 - b. Structure #2 has been monitored, revegetated, and irrigated on a continuous basis due to large amount of fill on slope, lack of winter moisture, and high flow events.
 - c. No work will be implemented on Structure #3 due to nesting season until late summer 2004.
5. Ranching Operations BMP:
 - a. Implemented and maintained new livestock facilities: fencing, gates, and alternate water sources to prevent damage from cattle in riparian area.
6. Wellhead Protection BMP:
 - a. Wellhead protection fencing has been installed around all wellheads.

IV. RECOMMENDATIONS







Washoe Tribe of Nevada and California has done a good job programmatically in its CWA §319(h), however, several recommendations are given at this time:

1. Submit quarterly reports to EPA in a timely manner. The next quarterly report for this grant is due to EPA by August 30, 2004 for the project/budget period of May 1, 2004 to July 30, 2004.
2. If any of the approved equipment purchases were made during the quarter, list the purchases made in the quarterly report.

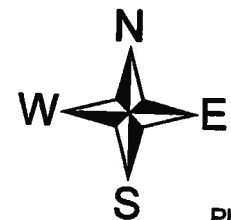
319 h Non-Point Source Watershed Project FY 03



Stewart Ranch

-  Proposed Wells FY03
-  Tributary
-  Grass seeding area
-  Gates
-  Fenceline
-  Boundary

Washoe Environmental
Protection Department
Washoe Tribe of Nevada & California
919 Highway 395 S
Gardnerville NV 89410



January 2003
Generated by
Phoebe Bender
GIS Specialist

